

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Anchorage Field Office  
**CATEGORICAL EXCLUSION (CX) FORM**

CX No.: AK-040-03-CX-022

Lease/Serial/Case File No.: AA-  
84537

Proposed Action Title/Types: Land Use Permit Renewal for Klikatarik Herring Fishery  
Monitoring Station Camp.

Location of Proposed Action: Kateel River Meridian  
T. 23 S., R. 14 W., Section 31.

Description of Proposed Action: Alaska Department of Fish and Game (ADF&G) submitted an application to renew a land use permit authorizing a monitoring camp. ADF&G has been monitoring Herring populations at the mouth of Klikatarik River on Klikatarik Bay every year since 1981. This annual monitoring occurs for approximately three weeks in the months of May and June. Their most recent permit, AA-42925, expired on February 28, 2003. BLM is processing this renewal under a new serial number, AA-84537. In years past, the permit has authorized the placement of a 10' x 14' tent and a latrine. The request for renewal proposes two 10' x 12' tents rather than one 10' x 14' tent. However, the one acre size and location of land authorized under the previous permits would remain the same under this proposed permit. See General Vicinity and Specific Maps for location.

Applicant: Alaska Department of Fish and Game

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**PART I - PLAN CONFORMANCE REVIEW**

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This Proposed Action is subject to the following land use plan: Southwest Management Framework Plan, approved November 1981.

The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1617.3). The plan does not preclude this proposed action.

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**PART II - NEPA REVIEW**

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- A. Categorical Exclusion Review.  
This Proposed Action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4, E. 9 - Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

B. Departmental Exceptions Review.

The following Departmental List of Exceptions apply to individual actions. Departmental instructions mandate that environmental documents MUST BE PREPARED for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

- |   | YES | NO       |
|---|-----|----------|
| 1. Have significant adverse impacts on public health or safety.   | ___ | <u>X</u> |
| 2. Have adverse effects on unique geographic characteristics, historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks. | ___ | <u>X</u> |
| 3. Have highly controversial environmental effects.   | ___ | <u>X</u> |
| 4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.  | ___ | <u>X</u> |
| 5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.   | ___ | <u>X</u> |
| 6. Be directly related to other actions with individually insignificant, but cumulatively significant environmental effects.  | ___ | <u>X</u> |
| 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.   | ___ | <u>X</u> |
| 8. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species.   | ___ | <u>X</u> |
| 9. Require compliance with Executive Order 11988 (Flood plain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.   | ___ | <u>X</u> |
| 10. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.   | ___ | <u>X</u> |

I certify that none of the Departmental exceptions listed in the above Part B (516 DM 2, Appendix 2) apply to this action.

Preparer(s): /s/ Natalie Cooper                      Date: July 9, 2003

**PART III – DECISION**

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures either identified below or stipulation(s) attached in this case file.

Remarks: The stipulations of the previous permits will apply to this renewal. In addition to the standard stipulations of a land use permit, further stipulations were added to the previous permits. These additional stipulations are as follows (minor changes made to reflect new BLM serial number):

1.     This permit, and the rights and privileges granted thereby, is subject to all valid rights and interests in and to the lands which are the subject of this permit. The BLM makes no representations or warranties, whatsoever, either expressed or implied, as to the number, or nature of such valid existing rights.
2.     The ADF&G shall brief the field crew leader and field crew that significant cultural resources are located in the vicinity of their field camp, including Native selected historical property, and that such resources are protected from excavation, removal, damage, alteration or defacement under the Archeological Resource Protection Act of 1979.
3.     The tent platform will remain in its current location in order to minimize damage to the surface. Any impacts to cultural resources which are noted during upcoming field exams which result from permitted activity may require relocation of the field camp, or cancellation of this permit.
4.     No new excavation will be allowed, including but not limited to fire pits and latrines. Trash shall be burned and non-burnable trash shall be hauled out.
5.     Firewood gathering is restricted to driftwood. No burning of wood from existing structures is allowed.
6.     No open fires will be allowed, except on the beach and in the existing fire pit.

7. Every field crew member will be apprised of these stipulations prior to the field season. Any questions about their meaning shall be referred to BLM for clarification.
8. The permit will terminate automatically upon conveyance of these lands to Bering Straits Native Corporation
9. If the permit expires, is revoked after notice by the BLM, or if the permittee relinquishes this permit prior to the expiration of the issued period, the permittee shall remove all evidence of the camp within ninety (90) days. This shall include removal of the tent platform, tent frames, wood piles, fire pot, pit toilet, etc.
10. The personnel occupying the herring monitoring station will record each date, time, species, sex, precise location and number of Spectacled and Stellers Eiders associated with the specific site or the area monitored during the herring season. Data will be identified with BLM case file No. AA-84537 and submitted to the BLM Authorized Officer (Attention: Lands and Realty Supervisor) by August 15 each year.

Authorized Official: /s/ Mike Zaidlicz      Date: July 10, 2003